

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

SUMMONS IN A CIVIL CASE

U.S. Commodity Futures Trading Commission,

V.

One World Capital Group, LLC and John
Edward Walsh

07CV 7002
JUDGE LEFKOW
MAGISTRATE JUDGE KEYS

~~DESIGNATED~~
MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

John Edward Walsh
608 Wharton Drive
Lake Forest, Illinois 60045

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Jennifer S. Diamond, Senior Trial Attorney
Commodity Futures Trading Commission
525 West Monroe Street, Suite 1100
Chicago, Illinois 60661

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

NOTE: When the print dialogue
box appears, be sure to uncheck
the Annotations option.

MICHAEL W. DOBBINS, CLERK


(By) DEPUTY CLERK

DEC 13 2007

DATE

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE 12 18 2007
NAME OF SERVER (PRINT) Walter Schwaln	TITLE Process Server

Check one box below to indicate appropriate method of service

☐ G Served personally upon the defendant. Place where served: _____☐ G Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ G Returned unexecuted: _____☒ G Other (specify): See attached affidavit**STATEMENT OF SERVICE FEES**

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____ Date _____ Signature of Server _____

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Affidavit of Process Server

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PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE #

Being duly sworn, on my oath, I declare that I am a citizen of the United States, over the age of eighteen and not a party to this action.

Service: I served

with the (documents)

☐ Subpoena with \$

NAME OF PERSON/ENTITY BEING SERVED
witness fee and mileage

- ☒ Summons;
- ☒ Complaint;
- ☐ Plaintiff's Motion for Ex Parte Statutory Restraining Order;
- ☐ Signed Order for SRO;
- ☐ Plaintiff's Motion for Preliminary Injunction;
- ☐ Brief in Support of Plaintiff's Motion for Statutory Restraining Order on Notice and Preliminary Injunction;
- ☐ Appendix in Support of Plaintiff's Motion for Statutory Restraining Order on Notice and Preliminary Injunction;
- ☐ Motion for Expedited Discovery;
- ☐ Signed Order for Expedited Discovery; and
- ☐ Notice of Deposition

by serving (NAME)

at Home

608 WHARTON DR. LAKE FOREST, ILL

☐ Business

☒ On (DATE)

12/17/07

at (TIME)

11:20 A.M.

Thereafter copies of the documents were mailed by prepaid, first class mail on (DATE)

from (CITY)

(STATE)

Manner of Service:

☒ By Personal Service.

JOHN EDWARD WALSH

☐ By leaving, during office hours, copies at the office of the person/entity being served, leaving same with the person apparently in charge thereof,

namely

☐ By leaving a copy at the defendant's usual place of abode, with some person of the family or a person residing there, of the age of 13 years or upwards, and informing that person of the general nature of the papers,

namely

☐ By posting copies in a conspicuous manner to the address of the person/entity being served.

Non-Service: After due search, careful inquiry and diligent attempts at the address(es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address

☐ Evading

☐ Other

☐ Address Does Not Exist

☐ Service Cancelled by Litigant

SON ANSWERED DOOR, SAID

☐ Moved, Left no Forwarding

☐ Unable to Serve in a Timely Fashion

NOT HOME

Service Attempts: Service was attempted on: (1) 12/13/07 7:30 PM

(2) 12/14/07 11:10 a.m.

NO ONE ANSWERED DOOR

(3) 12/14/07 8:10 P.M.

(4) 12/15/07 9:30 a.m. no

answer

(6) 12/17/07 8:00 AM

Description:

☒ Male

☒ White Skin

☒ Black Hair

☒ White Hair

☐ 14-20 Yrs.

☐ Under 5'

☐ Under 100 Lbs.

☐ Female

☐ Black Skin

☐ Brown Hair

☐ Balding

☐ 21-35 Yrs.

☐ 5'0"-5'3"

☐ 100-130 Lbs.

☐ Yellow Skin

☐ Blond Hair

☐ 36-50 Yrs.

☐ 5'4"-5'8"

☐ 131-160 Lbs.

☐ Brown Skin

☐ Gray Hair

☐ Mustache

☒ 51-65 Yrs.

☒ 5'9"-8'0"

☒ 161-200 Lbs.

☐ Glasses

☐ Red Skin

☐ Red Hair

☐ Beard

☐ Over 65 Yrs.

☐ Over 6'

☐ Over 200 Lbs.

OTHER IDENTIFYING FEATURES:

M/W/WHITE HAIR, BLUE EYES. I SERVED

HIM AS HE WAS PULLING INTO HIS GARAGE IN HIS BMW.

I HAD WAITED IN HIS DRIVE EARLIER THAT MORNING FROM

State of Illinois

County of Cook

Subscribed and sworn to before me,

a notary public, this 18 day of December, 2007 ONE HOUR

SERVED BY

LASALLE PROCESS SERVERS

Walter Schur

NOTARY PUBLIC



CHARTER MEMBER NATIONAL ASSOCIATION OF PROFESSIONAL PROCESS SERVERS

REPORT ON ATTEMPTS TO SERVE SUMMONS AND COMPLAINTS ON JOHN EDWARD WALSH

I attempted to serve John Edward Walsh summons and complaints from the U.S. Commodities Futures Trading Commission on the following 6 dates and times before finally serving him personal service on the 7th attempt Dec. 17, 2007 at 11:20 a.m.

1. Dec. 13, 2007 at 7:30 p.m. I went to Mr. Walsh's residence at 608 Wharton Dr. Lake Forest, Ill. and his son answered the door and said his Dad, Mr. Walsh, wasn't home and that I should try back later that evening around 9:00 p.m. I returned at 9:00 p.m. and the son answered the door again and said Mr. Walsh still wasn't home. The son then took out his cell phone and called Mr. Walsh while I was standing at the front door and told Mr. Walsh that there was a process server with a summons for him at the house. The son talked to his Dad for a minute on the cell phone, then hung up and told me his father was at a meeting and wouldn't be home to meet me to get the summons that night.
2. I returned to the Walsh residence the next morning Dec. 14, 2007 at 11:10 a.m. and repeatedly knocked on the front door but no one answered.
3. Dec. 14, 2007 8:10 p.m. I returned to the house at 608 Wharton Dr. and it was Dark with no sign of anyone home. I knocked repeatedly and rang the bell but there was no answer.
4. Dec. 15, 2007, 9:30 a.m. I returned once again the Walsh residence but but no one answered the door.
5. Dec. 15, 2007, 4:30 p.m. It was Saturday afternoon, I returned to the Walsh residence and could see inside between the slats of the closed shutters on the windows that someone was inside the house playing video games on a large screen T.V. But when I repeatedly knocked on the front door the person inside would not answer the door.
6. Dec. 17, 2007, 7:00 a.m. I returned to the Walsh residence and waited for an hour in my parked car on the street in front of the house. I could see that lights were on in what was apparently the kitchen window. Someone turned out the lights around 8:00 a.m. I knocked on the door but no one answered the door.



Walter Schwalm